

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ALLSTATE INSURANCE COMPANY,
Et Al.,

Plaintiffs

vs.

RECEIVABLE FINANCE COMPANY,
L.L.C, Et. Al.

Defendants

DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
MAY 7 2004
CLERK, U.S. DISTRICT COURT
By _____ Deputy

Civil Action No. 3-01CV2247-N

**APPENDIX TO PLAINTIFFS' RESPONSE TO DEFENDANT ROBERT M.
SMITH'S EMERGENCY MOTION TO QUASH AND FOR
PROTECTION, AND BRIEF IN SUPPORT THEREOF**

COME NOW the Plaintiffs and file this Appendix to their *Plaintiffs' Response to Defendant Robert M. Smith's Emergency Motion to Quash and for Protection, and Brief in Support Thereof*.

<u>Exhibit</u>	<u>Document</u>	<u>Page Numbers</u>
A	Letter dated April 19, 2004, with facsimile transmittal sheet	1-3
B	Second letter dated April 19, 2004, with copy of PS Form 3811	4-6

Respectfully submitted,

**DAVID KASSABIAN
TEXAS STATE BAR NO. 11105600
BRET WEATHERFORD
TEXAS STATE BAR NO. 20998800**

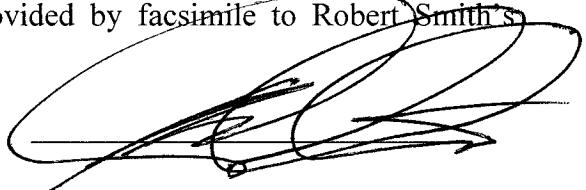
**KASSABIAN, DOYLE &
WEATHERFORD, P.C.**

1521 North Cooper Street
Suite 650, LB 21
Arlington, TX 76011
(817) 460-5099 (Local)
(817) 461-8855 (Metro)
(817) 274-9863 (Facsimile)

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify a copy of the foregoing Appendix has been served on the following attorneys for Defendants, by certified mail, return receipt requested, this 17th day of May, 2004, with a copy also being provided by facsimile to Robert Smith's counsel, Attorney Weil:



Mr. Rick Disney
Douglas, Wuester & Disney, P.C.
Fort Worth Club Tower, Penthouse I-C
777 Taylor Street
Fort Worth, TX 76102-4919

Mr. Lindy Jones
Jones, Allen & Fuquay, L.L.P
8828 Greenville Avenue
Dallas, TX 75243

Mr. Michael Mears
Andrews & Kurth, L.L.P.
1717 Main Street, Suite 3700
Dallas, TX 75201

Mr. Robert Renneker
1412 Main Street
Suite 210
Dallas, TX 75202

Mr. James D. Shields
Shields, Britton & Fraser
5401 Village Creek Drive
Plano, TX 75093

Mr. Chris Weil
Weil & Petrocchi, P.C.
1601 Elm Street, Suite 1900
Dallas, Texas 75201-2846

Mr. Richard Young
Glast, Phillips & Murrey, P.C.
2200 One Galleria Tower
13355 Noel Rd., LB 48
Dallas, TX 75240-6657

EXHIBIT A

LAW OFFICES OF

KASSABIAN, DOYLE & WEATHERFORD

DAVID KASSABIAN
BOARD CERTIFIED
CIVIL TRIAL LAW
PERSONAL INJURY TRIAL LAW
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April 19, 2004

Mr. Chris Weil
Weil & Petrocchi, P.C.
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Dallas, Texas 75201-2846
VIA FACSIMILE

Mr. Lindy Jones
Jones, Allen & Fuquay, L.L.P
8828 Greenville Avenue
Dallas, TX 75243
VIA FACSIMILE

RE: CASE NO: 3-01-CV2247-N
ALLSTATE INSURANCE COMPANY, ET AL. V. RECEIVABLE FINANCE
COMPANY, L.L.C., ET. AL.

Dear Mr. Weil and Mr. Jones:

This letter will confirm our telephone conference of today. Chris Weil advised he has an evidentiary hearing in Federal Court on Thursday, April 22, 2004, which makes him unavailable to present Robert Smith for his deposition. Further, Mr. Weil has agreed to provide us with a copy of the Order requiring him to appear for an evidentiary hearing on April 22, 2004. It was agreed Mr. Lindy Jones will produce Chiropractor Larry Parent at 9:30 a.m. and Chiropractor Ramesh Sanghani at 1:30 p.m. on Thursday, April 22, 2004, at Mr. Jones' office

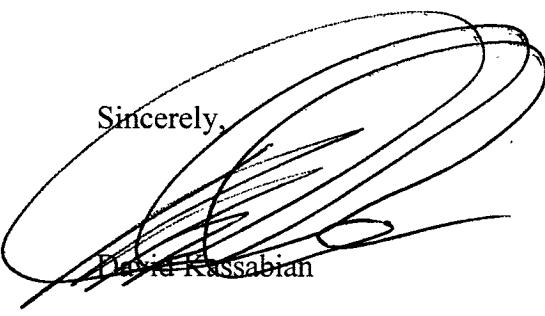
Robert Smith's deposition will be conducted on May 11, 2004, at 10:00 a.m. at Chris Weil's office in place of Kathryn Wade's deposition. Kathryn Wade's deposition can be re-scheduled at the request of Michael Mears for one of the June deposition dates.

(1)

Mr. Chris Weil
Mr. Lindy Jones
April 19, 2004
Page 2

I appreciate your attention to this matter.

Sincerely,



Levia Russabian

/sbc

c: Mr. Rick Disney
Douglas, Wuester & Disney, P.C.
Fort Worth Club Tower, Penthouse I-C
777 Taylor Street
Fort Worth, TX 76102-4919
VIA FACSIMILE

Mr. Michael Mears
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EXHIBIT B

Job	Phone Number	Start Time	Pages	Mode	Status
606	19724198329.....	4/19 12:01PM.....	3/ 3	BC	Completed.....
606	12143437455.....	4/19 12:03PM.....	3/ 3	BC	Completed.....
606	12146594401.....	4/19 12:04PM.....	3/ 3	BC	Completed.....
606	12148807402.....	4/19 12:05PM.....	3/ 3	BC	Completed.....
606	19727884332.....	4/19 12:07PM.....	3/ 3	BC	Completed.....
606	8173364889.....	4/19 12:08PM.....	3/ 3	BC	Completed.....
606	12147427110.....	4/19 12:10PM.....	3/ 3	BC	Completed.....

**KASSABIAN, DOYLE &
WEATHERFORD, P.C.**

1521 NORTH COOPER STREET
SUITE 800, LB 21
ARLINGTON, TEXAS 76011
Phone: (817) 461-8668
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Fax

To: Richard Young
Lindy Jones
Michael Mears
Chris Weil
James Shields
Rick Disney
Robert Renneker

From: David Kassabian

Fax: 972/419-8329 Date: April 19, 2004
214/343-7455
214/659-4401
214/880-7402
972/788-4332
817/336-4889
214/742-7110

Phone:	Pages:	3 including cover
Re:	By:	Stacey Collins
Allstate Insurance Company, et al v. Receivable Finance Company, et al		

Letter dated April 19, 2004.

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(3)

LAW OFFICES OF

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April 19, 2004

Mr. Chris Weil
Weil & Petrocchi, P.C.
1601 Elm Street, Suite 1900
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CM/RRR 7003 3110 0006 4807 3568

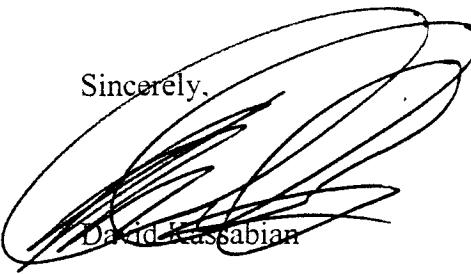
**RE: CASE NO: 3-01-CV2247-N
ALLSTATE INSURANCE COMPANY, ET AL. V. RECEIVABLE FINANCE
COMPANY, L.L.C., ET. AL.**

Dear Mr. Weil:

Enclosed please find the Second Amended Notice of Intention to Take the Oral Videotaped Deposition of Robert Smith scheduled for **May 11, 2004, at 10:00 a.m. to be conducted at Mr. Weil's office.**

I appreciate your attention to this matter.

Sincerely,



David Kassabian

DK/pm

Enclosure

c: Mr. Rick Disney
Douglas, Wuester & Disney, P.C.
Fort Worth Club Tower, Penthouse I-C
777 Taylor Street
Fort Worth, TX 76102-4919
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Mr. Chris Weil
 April 19, 2004
 Page 2

cc: Mr. Michael Mears
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Mr. Lindy Jones
 Jones, Allen & Fuquay, L.L.P.
 8828 Greenville Avenue
 Dallas, TX 75243
CM/RRR 7003 3110 0006 4807 3629

Accent Reporting of Arlington
 P. O. Box 13539
 Arlington, TX 76094-0539

Certified Legal Texas Video
 P. O. Box 540365
 Dallas, TX 75354

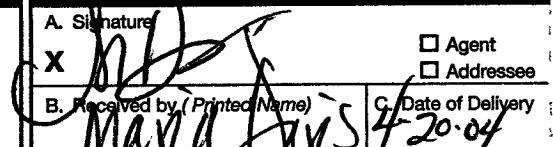
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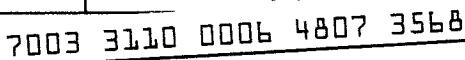
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1. Article Addressed to:

Christopher Weil
 WEIL & PETROCCHI
 1601 Elm Street, LB 100
 1900 Thanksgiving Tower
 Dallas, TX 75201

COMPLETE THIS SECTION ON DELIVERY**A. Signature****X**
 Agent
 Addressee
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Christopher Weil
 4/20/04
 C. Date of Delivery
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 If YES, enter delivery address below: No
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